

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

MEMORANDUM ENDORSED

-----X
SAMAYIA RILLERA, on behalf of herself and others
similarly situated in the proposed FLSA Collective
Action,

Case No: 1:22-CV-07357

STIPULATION

Plaintiff,

- against -

ANDY FRAIN SERVICES, INC. and DAVID H. CLAYTON,

Defendant.
-----X

It is hereby stipulated and agreed, by and between the undersigned attorneys, that,

1. On July 14, 2021, plaintiff and defendants entered into a binding agreement that certain claims that plaintiff may have against defendants shall be submitted exclusively to and determined exclusively by binding arbitration.

2. The causes of action and claims asserted by plaintiff in the complaint are claims that fall under the July 14, 2021 arbitration agreement.

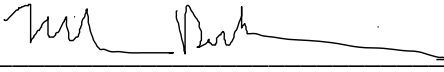
3. Plaintiff and defendant will submit the causes of action and claims asserted by the plaintiff in the complaint to arbitration, and the causes of action and claims will be determined by arbitration, in accordance with the July 14, 2021 arbitration agreement.

4. This action shall be marked “stayed” pending arbitration proceedings.

5. Upon completion of arbitration proceedings, the parties shall execute a stipulation of dismissal of this action.

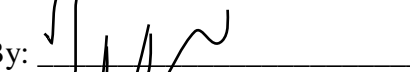
6. This Stipulation may be signed in counterparts and pdf or facsimile signatures shall be deemed original.

LITCHFIELD CAVO LLP

By: 

Michael K. Dvorkin
420 Lexington Avenue, Suite 2104
New York, NY 10170
(212) 818-0136
Email: Dvorkin@Litchfieldcavo.com
Attorneys for Defendants

LEVIN-EPSTEIN & ASSOCIATES, PC

By: 

Joshua Levin-Epstein
Jason Mizrahi
60 East 42nd Street, Suite 4700
New York, New York 10165
(212) 792-02046
Email: Joshua@levinepstein.com
***Attorneys for Plaintiff and Proposed
FSLA Collection Action Plaintiff***

Pursuant to the above stipulation, this matter is stayed. The Court's conference is cancelled. The parties shall report to the Court within 7 days of the conclusion of the arbitration and shall at that time show cause why this case should not be dismissed.

So Ordered.


GABRIEL W. CORENSTEIN
United States Magistrate Judge

November 15, 2022